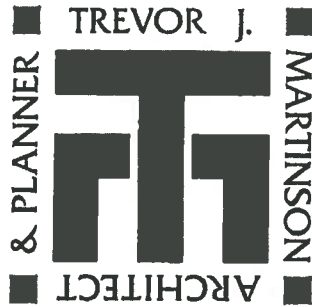


RECEIVED



1849 Mission Ridge  
 Santa Barbara  
 California 93103  
 (805) 965-2385  
 (FAX) 965-5457

25 September 2013

2013 SEP 25 PM 2: 22

City Clerk  
 The Mayor and City Council  
 City of Santa Barbara  
 De La Guerra Plaza  
 P. O. Box 1990  
 Santa Barbara, CA. 93102-1990

CITY OF SANTA BARBARA  
 CITY CLERK'S OFFICE

Re: 16 September 2013 ABR meeting  
 Item 2. 510 North Salsipuedes Street

Subject: **Filing of Appeal SBMC §22.68.100**

Mayor Schneider and Council members:

I am appealing the City ABR decision referenced above on the behalf of numerous Haley Street business and property owners who have voiced their concerns to the City on neighborhood compatibility issues and the size of this proposed project.

My letter to Paul Zink and the ABR members, dated 15 September 2013, is enclosed as "**Exhibit 1**" for the record. Please take note, Item **A.** in Exhibit 1, which describes a driveway easement that was not discovered or was omitted from the Planning Division Cursory Project Plan Review letter of 31 May 2013 to Peoples Self Help Housing. As noted in the City plan review letter, Property Information, item 4. Public and Private Easements, "it is the applicant's responsibility to comply with any recorded conditions and/or easements". This is the case here; as described in the recorded Grant Deed to the owners of 604 East Cota Street, Joan M. Bregante and Dorothy J. Griffin, who are the adjacent land owners to the north of the Peoples Self Help Housing project at 510 N. Salsipuedes. A copy of this Deed and its Exhibit A is enclosed as "**Exhibit 2**" for the record. I have enclosed a newly drawn map of this easement description for your review with the easement boundaries shown and noted by me in red ink as "**Exhibit 3**". This requires

25 September 2013  
City Clerk  
The Mayor and City Council  
Page 2

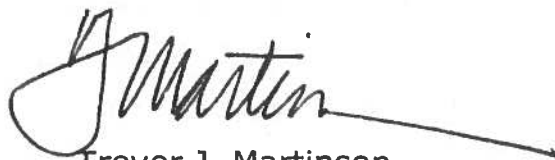
a redesign of the project to accommodate this existing easement and the City Fire Access Lane requirements.

Please take note of Item **B.** in Exhibit 1, which describes the suggestions made by several members of the ABR to reduce the building massing at the Haley and Salsipuedes corner intersection to two stories, which is a very good idea, clearly considers neighborhood compatibility, and would be supported by many of the Haley Street neighbors.

I do object to City Staff not noting the omission of the existing easement by the applicant and then not bumping this matter up to the City Planning Commission for comments to the ABR before an appeal was necessary.

Enclosed is my check, number 3758 in the amount of Four hundred and sixty-five dollars (\$465.00) for the City Council Appeal Fee.

Sincerely,

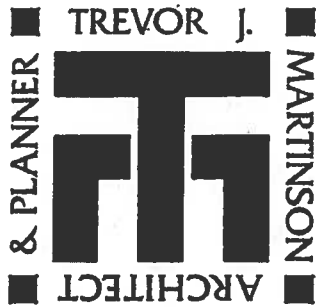
A handwritten signature in black ink that reads "T. Martinson". The signature is written in a cursive style with a long horizontal line extending to the right.

Trevor J. Martinson  
Architect, Planner & Forensic

1849 Mission Ridge Road  
Santa Barbara, CA. 93103-1857

Enclosures: Exhibits "1", "2" & "3"

XC: Haley Street Neighbors  
Santa Barbara News-Press



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

16 September 2013

Paul Zink, Chair  
Architectural Board of Review  
City of Santa Barbara  
Community Development Department  
630 Garden Street  
Santa Barbara, CA. 93101

(805) 564-5507

Re: Item 2. 510 N. Salsipuedes

Dear ABR Chair Zink and Board Members:

As the representative of Dr. Posch, one of many concerned business owners on Haley Street, I find the proposed project before you has several important design issues and they are:

**A.** At the last meeting on 08 July the owner mentioned that the Fire Department had signed off on the project design. That is not quite correct. The fire department was not aware of the reciprocal driveway easement on the northwest property line (Attachment "A") and, as a result, the Fire Access Lane will now be adjacent to this existing 12-foot driveway. The last Site Plan submitted by the applicant indicated a 16-foot Fire Access Lane, which is for projects of less than 4 units. This project requires a 20 foot Fire Lane Access. A redesign of the project will be required for this issue.

**B.** Suggestions made by the ABR at the last meeting included reducing the Haley Street building mass to two stories at the corner. Dr. Posch and I met with the Peoples Self Help on this project and gave them a revised elevation showing this suggestion by the ABR. Please see my (Attachments "B-1", "B-2" and "B-3") for this plan revision which many of the Haley Street business owners would find acceptable. We are disappointed that the applicant and owner chose to ignore this suggestion to reduce the building mass at the Haley and Salsipuedes corner of this project.

**Exhibit 1**

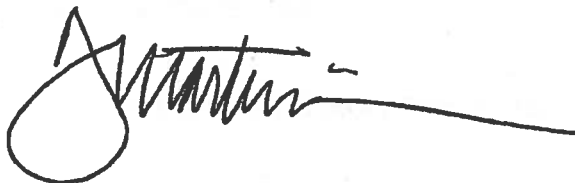
TJMItrappCC25Sept2013

16 September 2013

Paul Zink, Chair  
Architectural Board of Review  
Page 2

Thanking you in advance for your consideration and the good work the ABR has done for the City and its shareholders.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal flourish extending to the right.

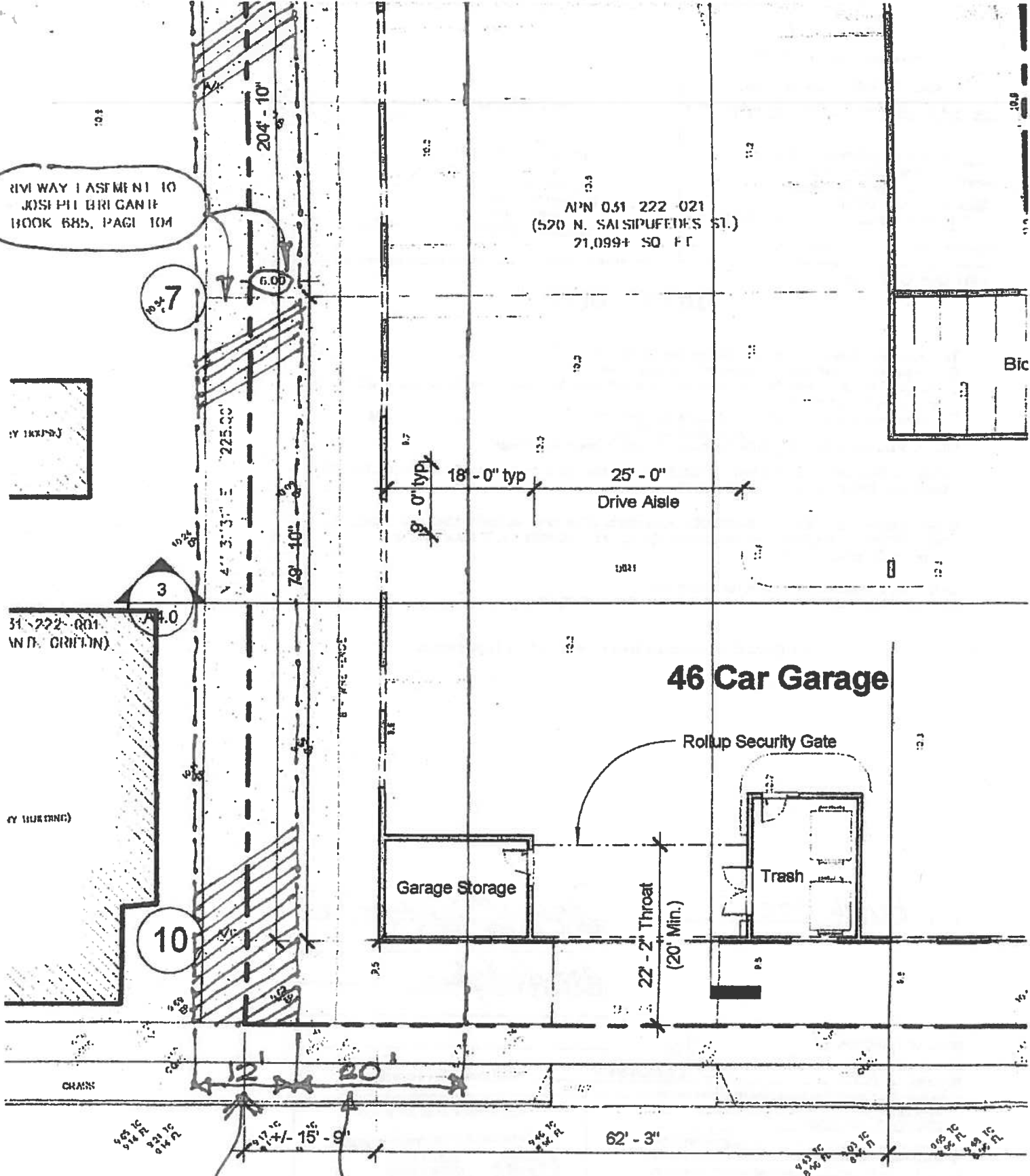
Trevor J. Martinson  
Architect, Planner & Forensic

Attachments: "A"  
"B-1", "B-2" & "B-3"

cc: A. Posch

DRIVEWAY EASEMENT TO JOSEPH BERGANIF BOOK 685, PAGE 104

APN 051 222 021  
 (570 N. SALSIPUEDES ST.)  
 71,099+ SQ. FT.



EXISTING RECIPROCAL DRIVEWAY EASEMENT (6' EACH PROPERTY)

20 FOOT WIDE FIRE DEPT. ACCESS STANDARD FOR BUILDING W/MORE THAN FOUR (4) UNITS

# Site Plan

SCALE: 1/16" = 1'-0"

# Attachment "A"

TJMItrABR16sept2013

RECORDING REQUESTED BY

HOMER G. SHEFFIELD JR., Esq.

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

92-100304

Rec Fee 8.00  
Check 8.00

NAME HOMER G. SHEFFIELD JR., Esq.  
ADDRESS Rogers & Sheffield  
427 E. Carrillo Street  
CITY & STATE ZIP P.O. Box 22257  
Santa Barbara, CA 93121-2257

Recorded  
Official Records  
County of  
Santa Barbara  
Kenneth A Pettit  
Recorder  
3:20pm 18-Dec-92

PUBL CC 2

Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

(604 East Cota Street)

GRANT DEED

The undersigned declares that the documentary transfer tax is \$ -0- and is  
 computed on the full value of the interest or property conveyed, or is  
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land,  
tenements or realty is located in  
 unincorporated area  city of Santa Barbara and  
less than \$100.00

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JOAN M. BREGANTE and DOROTHY J. GRIFFIN, as the sole remaining Trustees of the JOHN J. BREGANTE TRUST dated April 19, 1990,

hereby GRANT(S) to JOAN M. BREGANTE, an unmarried woman, an undivided 1/2 interest,  
and DOROTHY J. GRIFFIN, an unmarried woman, an undivided 1/2 interest, as  
tenants in common, in

the following described real property in the city and  
county of SANTA BARBARA, state of California:

See EXHIBIT A attached hereto and made a part hereof.

Dated Dec 16, 1992

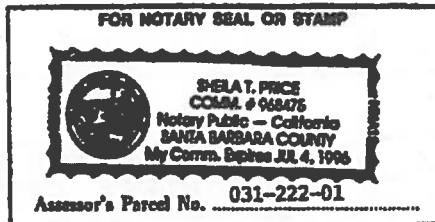
Joan M. Bregante  
JOAN M. BREGANTE, Trustee

Dorothy J. Griffin  
DOROTHY J. GRIFFIN, Trustee

STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA ss.  
On this the 16th day of December 1992, before me the undersigned, a  
Notary Public in and for said County and State, personally appeared  
JOAN M. BREGANTE and  
DOROTHY J. GRIFFIN

personally known  
to me or proved to me on the basis of satisfactory evidence to be the  
person B whose name B subscribed to the within instrument  
and acknowledged that they executed the same.

Shel T. Price  
Signature of Notary



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name Street Address City & State  
Stock No. CAL-01/BU (5-88)

GMS

Exhibit 2

TJMItrappCC25Sept2013

That portion of Block 223 in the said City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, described as follows:

Beginning at the intersection of the northeasterly line of Salsipuedes Street with the southeasterly line of Cota Street; and running thence southeasterly, along said line of Salsipuedes Street, 159 feet to a point; thence at right angles northeasterly 130 feet to a point; thence at right angles northwesterly 159 feet to said southeasterly line of Cota Street; thence southwesterly along said line 130 feet to the point of beginning.

Together with a right of way for all the purposes of a driveway over the following described parcel of land:

Commencing at the intersection of the northeasterly line of Salsipuedes Street with the southeasterly line of Cota Street; and running thence southeasterly, along said line of Salsipuedes Street 159 feet to the point of beginning; thence southeasterly along said line of Salsipuedes Street 6 feet; thence at right angles northeasterly 130 feet; thence at right angles northwesterly 6 feet; thence at right angles southwesterly 130 feet to the point of beginning.

Subject to a right of way for all the purposes of a driveway over the following described parcel of land:

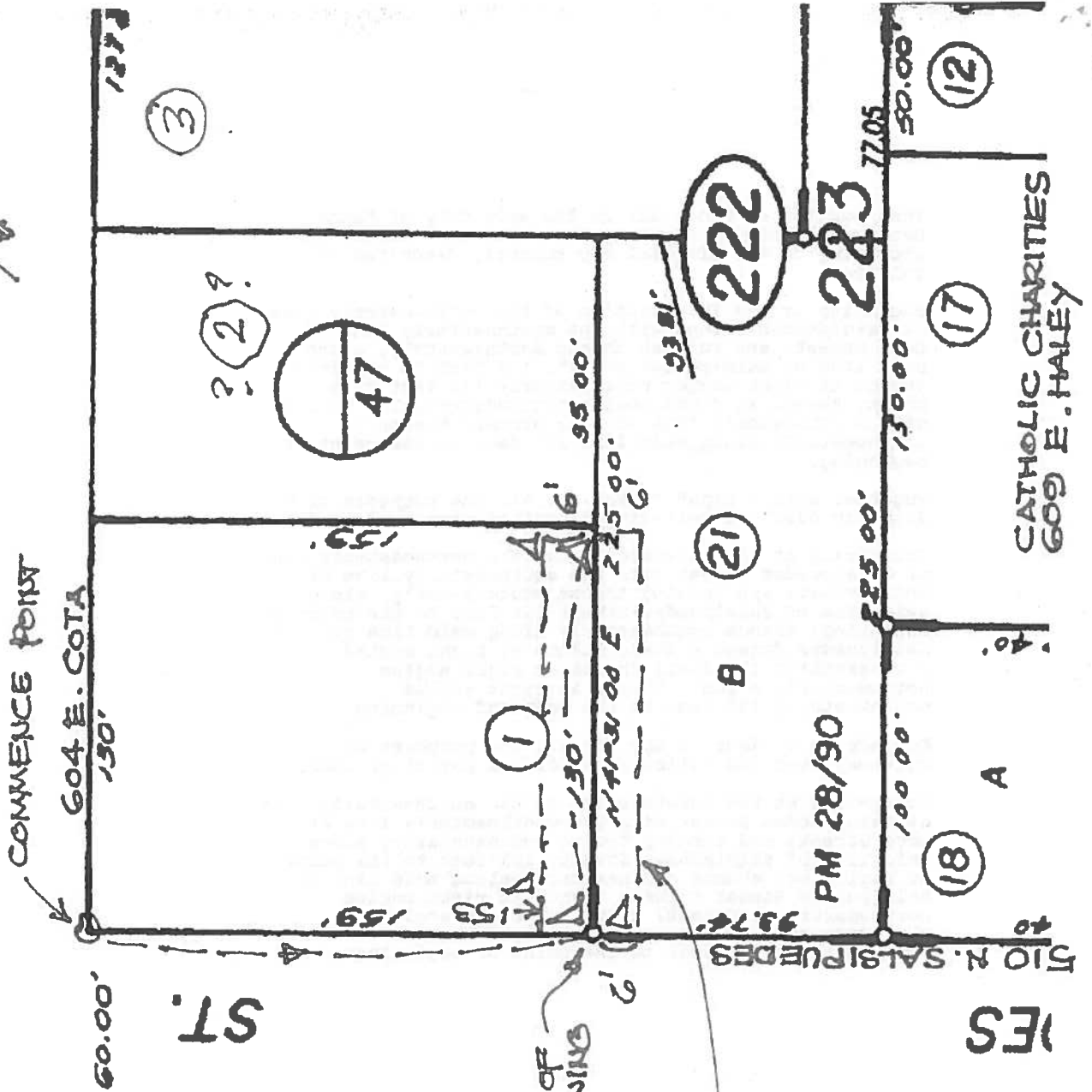
Commencing at the intersection of the northeasterly line of Salsipuedes Street with the southeasterly line of Cota Street; and running thence southeasterly, along said line of Salsipuedes Street, 153 feet to the point of beginning; thence southeasterly along said line of Salsipuedes Street 6 feet; thence at right angles northeasterly 130 feet; thence at right angles northwesterly 6 feet; thence at right angles southwesterly 130 feet to the point of beginning.

EXHIBIT A

---

ORTEGA PARK

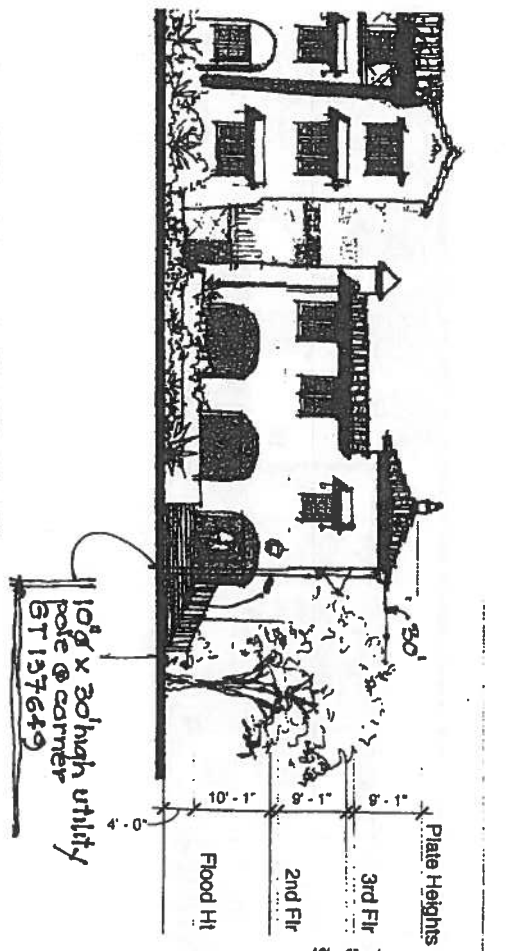
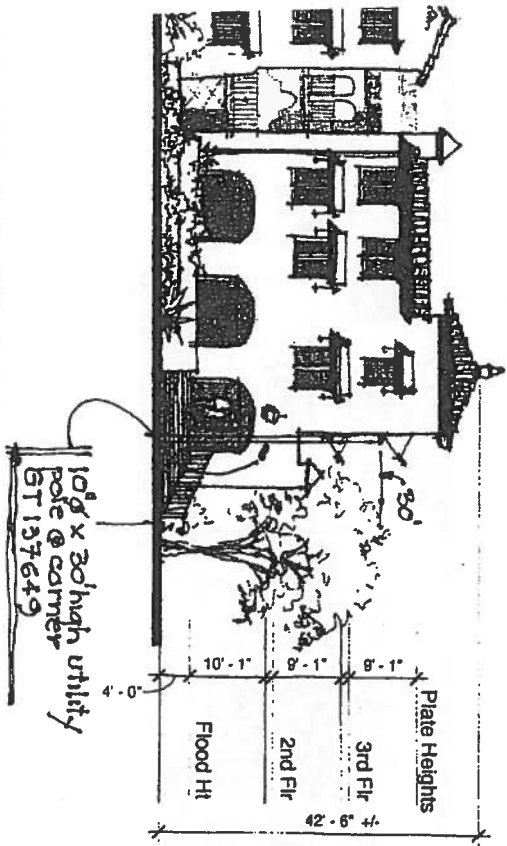
COTA



LOT 1 together w/ ROW for  
 all purposes of a  
 driveway over the following  
 described parcel of land

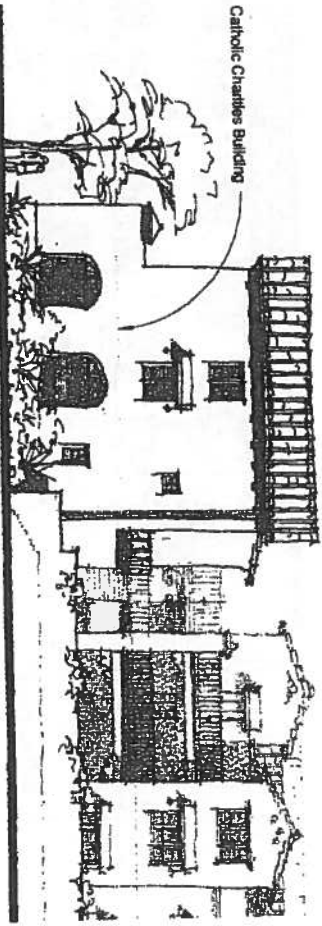
Exhibit 3





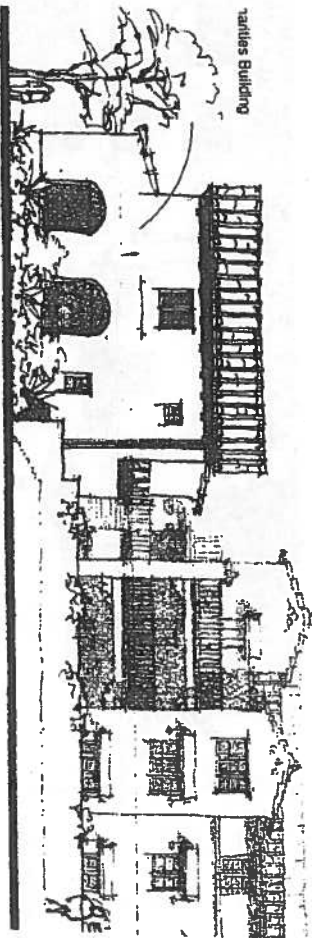
**Attachment "B-1"**

TJMITrABR16sept2013



Catholic Charities Building

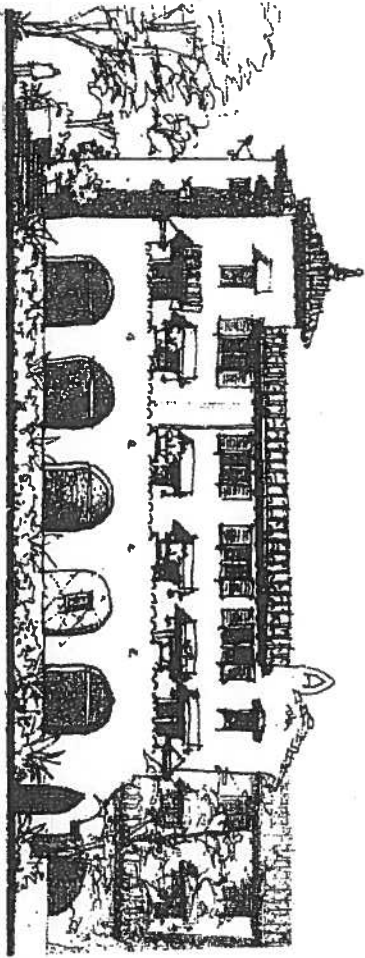
North East Elevation  
1/16" = 1'-0"



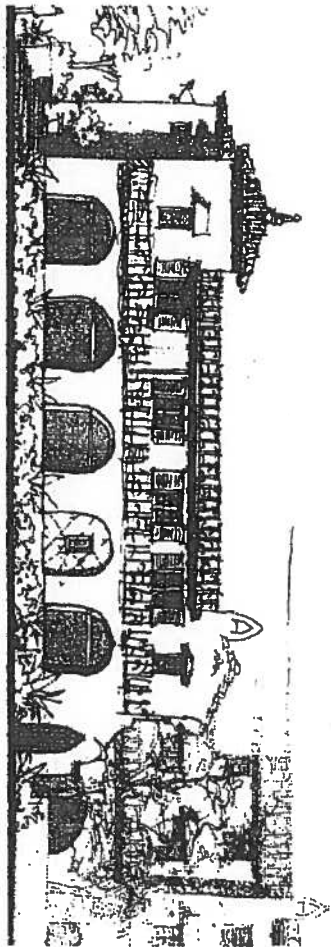
Charities Building

Attachment "B-2"

TJMITr-ABR 16sept2013



② South East Elevation - Haley Street  
1/16" = 1'-0"



South East Elevation - Haley Street  
1/16" = 1'-0"

